

### **REMARKS/ARGUMENTS**

Claims 1-17 are pending. In light of the amendments and following remarks, Applicant believes that all the claims are in condition for allowance.

#### **Formal Matters**

The Office Action objected to claim 9 and Figs. 1, 2 and 3. Applicant has taken the corrective action that was suggested in the Office Action so it is believed that these objections are overcome.

#### **The § 102(b) Rejection of Claims 1-17**

Claims 1-17 were rejected under 35 USC § 102(b) as allegedly being anticipated by U.S. Patent No. 5,710,885, issued January 20, 1998 to Bondi. Accordingly, it is being asserted that the reference discloses all the features of the claims. For the following reasons, Applicant respectfully traverses the rejection.

The claimed invention monitors nodes utilizing a circular list of sets, with each set including zero or more identifiers of nodes. For example, claim 1 recites the following:

processing at least one node identified by an identifier in a set of a circular list of sets, each set of the circular list of sets including zero or more identifiers of nodes; and

(emphasis supplied). Bondi does not disclose these features.

The Office Action cited col. 5, line 54 to col. 6, line 28 and Figs. 3-5 as disclosing these features. A closer review of these sections reveals that Bondi describes utilizing a queue, which is a sequential list of elements where the order of processing can be defined such as FIFO (first in first out). At no place in the reference does it describe or suggest the circular list of sets that are claimed.

The Office Action stated that a “circular queue” is a “circular list of entries, or sets.” Applicant disagrees. A circular queue is an implementation of a queue using a common data structure - the array. The circular part of a circular queue is that the queue elements can wrap around the bounds of the array. However, the queue itself is not circular, the queue itself is still a sequential list of elements. In other words, the circular queue is typically still accessed through a pointer to the head of the queue, a pointer to the tail of the queue, or both.

Applicant is submitting printouts of web pages from the following links that describe circular queues in more detail:

<http://www.nist.gov/dads/HTML/circularQueue.html>

<http://people.cs.uct.ac.za/~bmerry/manual/structures/circular.html>

Additionally, the Examiner may find the Java applet on this web page (a print out is also included, but the web site has an interactive demonstration of a circular queue) beneficial:

<http://maven.smith.edu/~streinu/Teaching/Courses/112/Applets/Queue/myApplet.html>

Accordingly, a circular queue is not the claimed circular list of entries. Thus, the Bondi references does not support a prima facie case of anticipation to claim 1 and the claim is patentably distinct over the reference. The other pending claims in include similar features so they are patentably distinct for at least the same reasons.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8693.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Ritter", written in a cursive style.

Michael J. Ritter  
Reg. No. 36,653

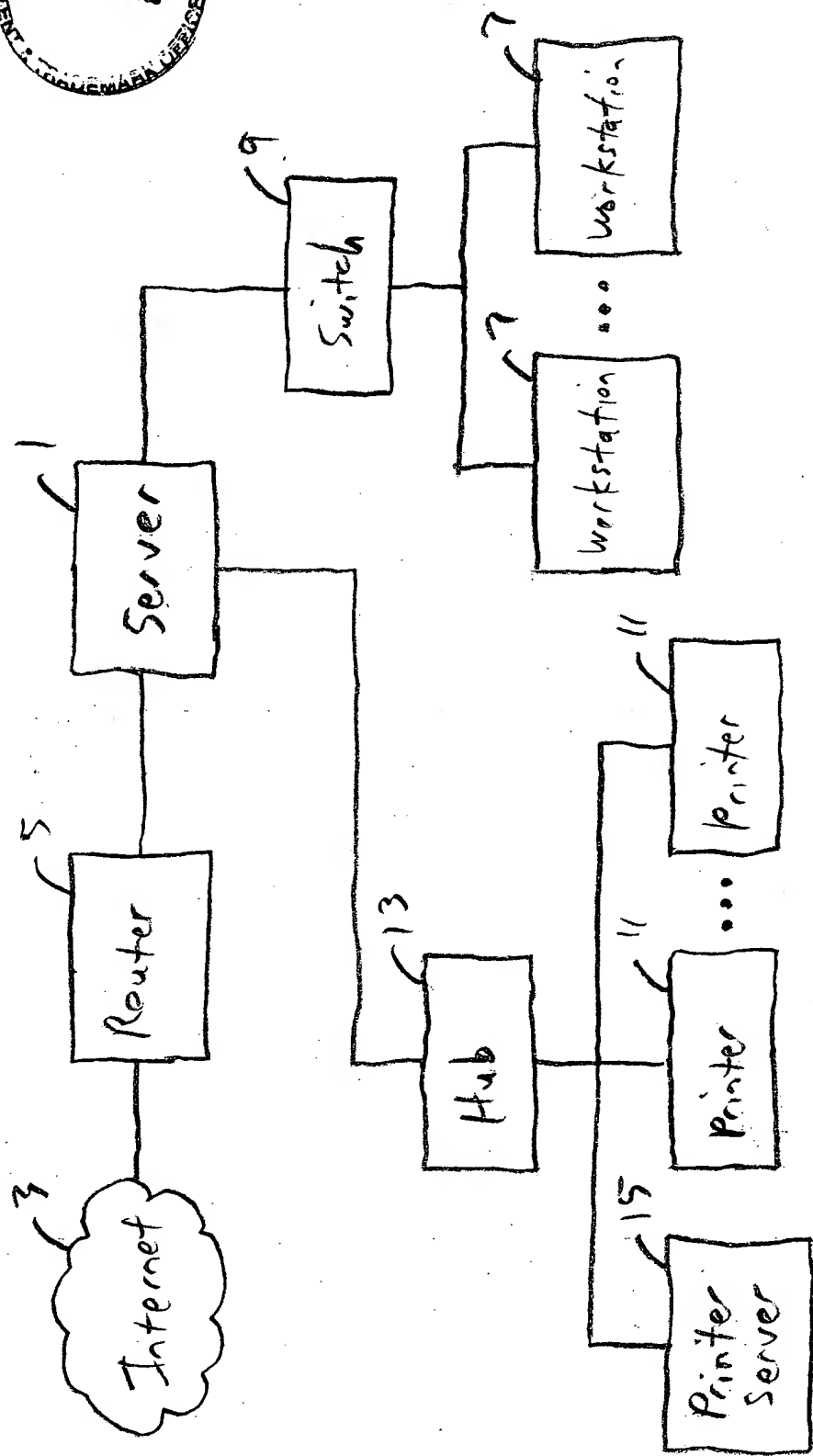
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**Amendments to the Drawings:**

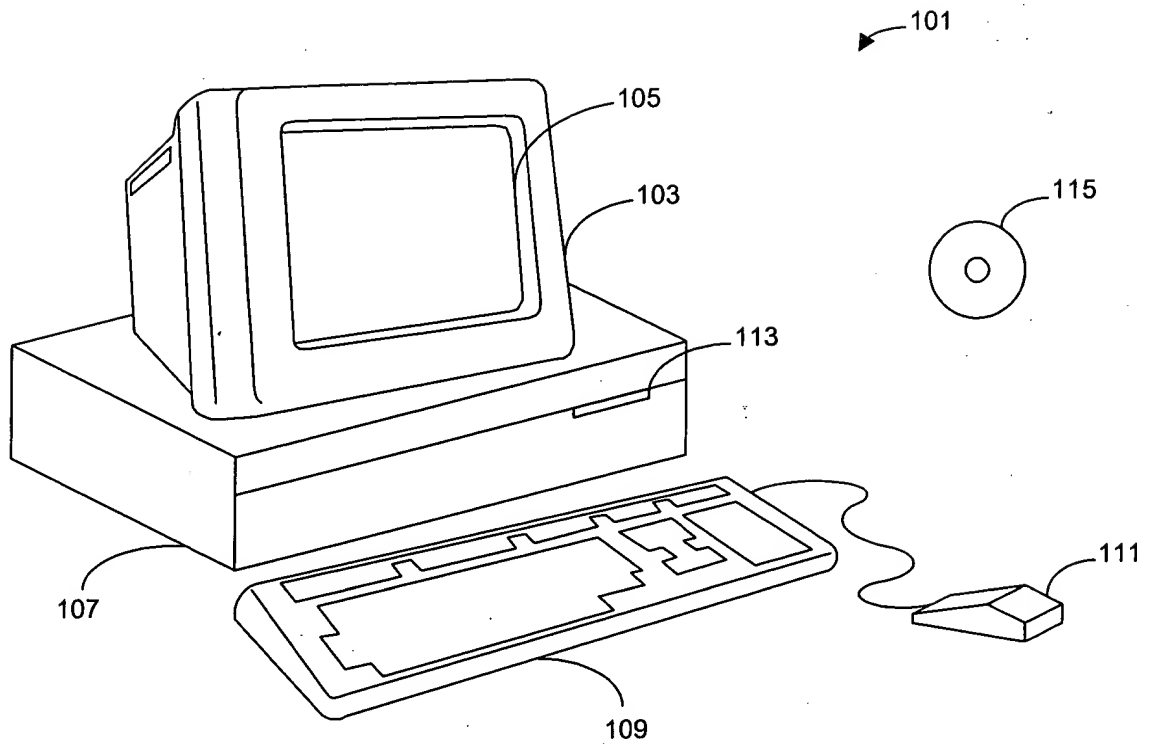
The attached annotated sheets of drawings include changes in red to Figs. 1, 2 and 3. Also included are replacement sheets, which include Figs. 1, 2 and 3 and, replace the original sheets.

Attachments: Two Replacement Sheets  
Two Annotated Sheets Showing Changes



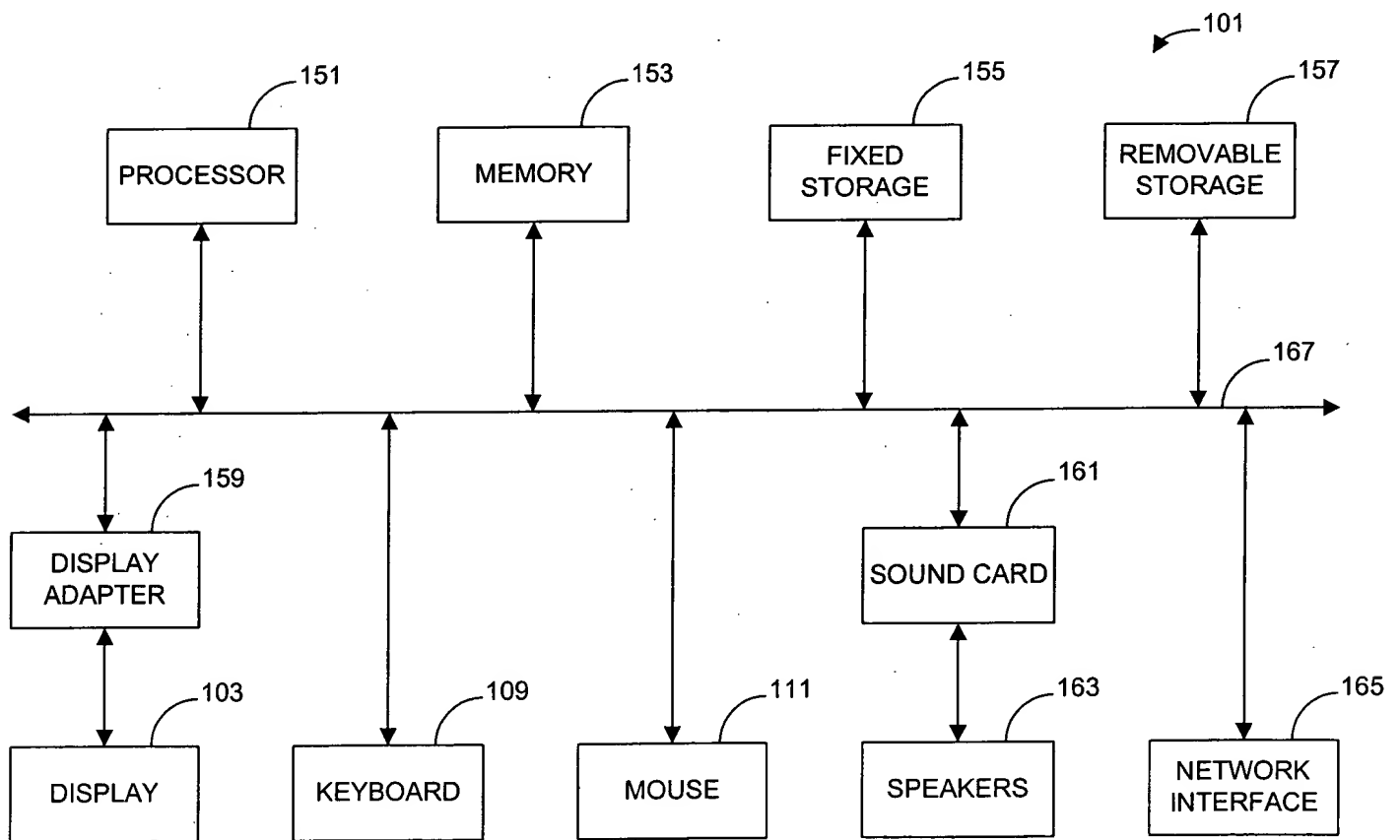
PRIOR ART

FIG. 1



PRIOR ART

FIG. 2



PRIOR ART

FIG. 3